

Message Text

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PAGE 01 VIENNA 05065 231628Z

ACTION EB-07

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC 2245

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E.O. 11652: N/A

TAGS: ETRD

SUBJECT: RHODESIAH CHROM: CERTIFICATION AGREEMENTS

REF: STATE 140457

1. GOA TRADE MINISTRY OFFICIALS RECEIVED NEWS OF ITERIM CERTIFICATION PROCEDURE EXTENSION WITH CONSIDERABLE RELIEF, PARTICULARLY BECAUSE OF TWO PROBLEMS WHICH HAVE ARISEN IN NEGOTIATIONS. FIRST IS GOA INSISTENCE THAT CERTIFICATION CONDITIONS APPLYING TO AUSTRIAN EXPORTS BE NO MORE ONEROUS THAN THOSE APPLYING TO OTHER COUNTRIES. THE SECOND IS GOA CONCERN THAT USG ACCOMMODATE NEED FOR COORDINATION OF CERTIFICATION AGREEMENTS WITH EFTA AND EC MEMBER COUNTRIES TO AVOID POTENTIAL CONFLICT WITH REGIONAL TRADE AGREEMENTS, AMONG THESE COUNTRIES.

2. IN GOA EYES "EQUAL TREATMENT" PROBLEM STEMS FROM TREASURY INSISTENCE THAT EVERY AUSTRIAN SHIPMENT BE INSPECTED WHEREAS IN EC CASE ONLY RANDOM SAMPLING WILL BE REQUIRED. HAVING NOT BEEN PRIVY TO NEGOTIATIONS TO DATE AND LACKING KNOWLEDGE OF TECHNICAL CONSIDERATIONS INVOLVED, WE MAY WELL NOT BE AWARE OF SOME IMPORTANT POINTS. NONETHELESS, LIMITED OFFICIAL USE

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EQUAL TREATMENT UNDER ALL AGREEMENTS OF A KIND WOULD SEEM TO BE AN ESSENTIAL POINT IN OUR BILATERAL DEALINGS AS WELL AS FROM THE MULTILATERAL (GATT) STAND-POINT. SINCE AUSTRIAN LAW PROHIBITS ALL IMPORTS FROM RHODESIA THIS WOULD PROVIDE ADDED SAFEGUARD.

3. THE TREATY CONFLICT PROBLEM ARISES FROM LANGUAGE IN

AUSTRIA'S AGREEMENTS WITH ITS EFTA PARTNERS AND THE EC COUNTRIES PRECLUDING QUANTITATIVE RESTRICTIONS AND "MEASURES HAVING EQUIVALENT EFFECT". THE AUSTRIANS VIEW THE INSPECTION REQUIREMENT FOR SHIPMENTS FROM THESE COUNTRIES OF THE PRODUCTS INVOLVED AS MEASURES HAVING "EQUIVALENT EFFECT", WHICH WOULD BE ILLEGAL UNLESS ALL OTHER COUNTRIES INVOLVED HAD AGREED TO THE SAME THING. GIVEN THE AUSTRIAN POSITION WE CAN APPRECIATE A NEED TO COORDINATE CONCLUSION OF THE AGREEMENTS, WHICH WE HOPE CAN BE ARRANGED.MEEHAN

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